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10/530,559	10/25/2005	Shigeo Miura	02922.000152.	8831
5514	7590	02/19/2009	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			YANG, QIAN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/530,559	MIURA ET AL.	
	Examiner	Art Unit	
	QIAN YANG	4112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 October 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 2,5,7,9 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3,4,6,8 and 10-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 October 2005 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/21/05</u> . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 3-4, 6, 8, 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamada (US Patent 6,807,907).

Regarding claim 1, Yamada discloses a control method for carrying out energy conservation operation. Specially, Yamada discloses a control method of controlling a network system (control method for carrying out energy conservation operation) including at least one image forming apparatus (printer 100) having a normal standby mode, and a reduced power consumption mode in which less electric power is consumed than in the normal standby mode (sleep status), at least one information processing apparatus (PC 300), a server apparatus (network device 200), connected to each other via a network (#400), the control method comprising:

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an agency request command-transmitting step of causing the image forming apparatus to transmit to the server apparatus an agency request command for requesting the server apparatus to respond to a status request, on behalf of the image forming apparatus, when the image forming apparatus shifts to the reduced power consumption mode (described in column 7, line 13-17, "If it is determined in step S111 that the preset amount of time has elapsed with the receiver 1032 receiving no print data, the timer 2 ends clocking (YES in S111). When this occurs, the printer 100 sends a request to the network device 200 for a substitute response (S112).");

a first status transmitting step of causing the image forming apparatus to transmit a latest status of the image forming apparatus to the server apparatus when the image forming apparatus shifts to the reduced power consumption mode (described in column 9, line 5-13, "when the network controller 103 receives data ... it is determined as a result of the analysis in step S302 that the received data is a request for the printer 100 status information (YES in S303), the printer 100 sends a status information response via the transmitter 1031 (S304).", when the network controller can be in a first energy consumption mode (sleep mode));

a second status transmitting step of causing the image forming apparatus to transmit a changed status of the image forming apparatus to the server apparatus when there is a change in the status of the image forming apparatus in the reduced power consumption mode (described in column 11, line 51-52, "After sending a magic packet in

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step S509 (which could cause a status change in printer from second energy consumption mode to standby mode), the PC 300 once again sends a status information request to the printer 100" and line 59-60, "a status response was sent from the printer 100 in response to the status request sent in step S510"); a status request-receiving step of causing the server apparatus to receive a status request sent from the information processing apparatus to the image forming apparatus, on behalf of the image forming apparatus (described in column 7, line 23-26, "The network device 200 that receives the request for a substitute response responds with the printer 100 status information on behalf of the printer 100 when the PC 300 requests status information from the printer 100"); and a status request-responding step of causing the server apparatus to respond to the information processing apparatus in response to the status request, based on the status received beforehand from the image forming apparatus (described in column 7, line 23-26, "The network device 200 that receives the request for a substitute response responds with the printer 100 status information on behalf of the printer 100 when the PC 300 requests status information from the printer 100") wherein said second changed status transmitting step comprises a temporary returning step of causing the image forming apparatus to temporarily return from the reduced power consumption mode to the normal standby mode when there is a change in the

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status of the image forming apparatus in the reduced power consumption mode (described in column 11, line 36-44, "When the printer 100 is in the second energy conservation mode and the monitor 1033 of the printer 100 that is monitoring the data flowing in the network 400 detects that a magic packet, which is sent in step S509, is in existence in the network 400, it sends a control signal 3 to the power supply unit 101. Based on the control signal 3, power supply is resumed from the power supply unit 101 to the various components of the printer 100. Consequently, the printer 100 is released from the energy conservation mode."), a status updating step of causing the image forming apparatus to transmit an updated status of the image forming apparatus to the server apparatus (described in column 11, line 51-52, "the PC 300 once again sends a status information request to the printer 100" and line 59-60, "a status response was sent from the printer 100 in response to the status request sent in step S510") and a reduced power consumption mode re-shifting step of causing the image forming apparatus to again shift to the reduced power consumption mode after the updated status of the image forming apparatus is transmitted to the server apparatus (According to Fig. 7, after printer is initialized S101, the timer 1 starts S102, if there is no data received in the end of timer 1 S106, the power supply to drive system will be off S107).

Regarding claim 3, Yamada discloses everything as stated above (see claim 1), further comprising a return command-transmitting step of causing the server apparatus to transmit a command for causing the image forming apparatus to return from the reduced power consumption mode to the normal standby mode, when the server apparatus has received a job execution request from the information processing apparatus (described in column 11, line 23-27, "Where it is verified in step S507 that the printer 100 is in the second energy conservation mode (sleep mode) (YES in S507), the PC 300 sends a magic packet to the printer 100 in order to release the printer 100 from the energy conservation mode (S509)").

Regarding claim 4, Yamada discloses a printing system for carrying out energy conservation operation. Specially, Yamada discloses a network system (printing system) including at least one image forming apparatus (printer 100) having a normal standby mode, and a reduced power consumption mode (sleep status) in which less electric power is consumed than in the normal standby mode, at least one information processing apparatus (PC 300), and a server apparatus (network device 200), connected to each other via a network (#400), wherein:
said image forming apparatus, transmits to said server apparatus an agency request command for requesting said server apparatus to respond to a status request, on behalf of said image forming apparatus, and a latest status of said image forming apparatus, when said image forming apparatus shifts to the reduced power consumption mode

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(described in column 7, line 18-22, "the printer 100 sends a request to the network device 200 for a substitute response in step S112, it sends information that comprises a response to the status request, ID information that identifies the printer 100 on the network 400 and a substitute response setting order"); said server apparatus receives the status request sent from said information processing apparatus to said image forming apparatus, on behalf of said image forming apparatus, and responds to said information processing apparatus in response to the status request, based on the status received beforehand from said image forming apparatus (described in column 7, line 23-26, "The network device 200 that receives the request for a substitute response responds with the printer 100 status information on behalf of the printer 100 when the PC 300 requests status information from the printer 100"); and said image forming apparatus temporarily returns to the normal standby mode when said image forming apparatus has detected a change in the status thereof in the reduced power consumption mode (described in column 11, line 36-44, "When the printer 100 is in the second energy conservation mode and the monitor 1033 of the printer 100 that is monitoring the data flowing in the network 400 detects that a magic packet, which is sent in step S509, is in existence in the network 400, it sends a control signal 3 to the power supply unit 101. Based on the control signal 3, power supply is resumed from the power supply

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unit 101 to the various components of the printer 100. Consequently, the printer 100 is released from the energy conservation mode."), and after transmitting the changed status to said server apparatus (described in column 11, line 51-52, "the PC 300 once again sends a status information request to the printer 100" and line 59-60, "a status response was sent from the printer 100 in response to the status request sent in step S510"), said image forming apparatus again shifts to the reduced power consumption mode (According to Fig. 7, after printer is initialized S101, the timer 1 starts S102, if there is no data received in the end of timer 1 S106, the power supply to drive system will be off S107).

Regarding claim 6, Yamada discloses a printer. Specially, Yamada discloses an image forming apparatus (printer 100) image connected to a server apparatus via a network, and having a normal standby mode, and a reduced power consumption mode in which less electric power is consumed than in the normal standby mode, comprising:
a detecting device that detects a status of the image forming apparatus (described in column 7, line 34-35);
a communication device that communicates with the server apparatus (Fig. 2 #11 communication unit); and
a control device (Controller #102) that causes said communication device to transmit to the server apparatus an agency request command for requesting the server apparatus to respond to a status request, on behalf of the image forming apparatus, and a latest

status of the image forming apparatus detected by said detecting device, when the image forming apparatus shifts to the reduced power consumption mode (described correspondingly in above (claim 4)); wherein said control device is responsive to detection of a change in the status of the image forming apparatus by said detecting device in the reduced power consumption mode, for causing the image forming apparatus to temporarily return to the normal standby mode, and after causing said communication device to transmit the changed status of the image forming apparatus to the server apparatus , causing the image forming apparatus to again shift to the reduced power consumption mode (described correspondingly in above (claim 4)).

Regarding claim 8, Yamada discloses a method for control printing. Specially, Yamada discloses a control method of controlling an image forming apparatus (method for control printing) connected to a server apparatus via a network, and having a normal standby mode, and a reduced power consumption mode in which less electric power is consumed than in the normal standby mode, the control method comprising: a detecting step of detecting a status of the image forming apparatus (described in column 7, line 34-35); an agency requesting step of transmitting to the server apparatus an agency request command for requesting the server apparatus to respond to a status request, on behalf of the image forming apparatus, when the image forming apparatus shifts to the reduced power consumption mode (described correspondingly in above (claim 1));

a status transmitting step of transmitting a latest status of the image forming apparatus detected in said detecting step (described in column 11, line 51-52, "the PC 300 once again sends a status information request to the printer 100" and line 59-60, "a status response was sent from the printer 100 in response to the status request sent in step S510");

a status updating step of transmitting a changed status of the image forming apparatus to the server apparatus when a change in the status of the image forming apparatus is detected in the reduced power consumption mode in said detecting step (described in column 11, line 51-52, "After sending a magic packet in step S509 (which could cause a status change in printer from second energy consumption mode to standby mode), the PC 300 once again sends a status information request to the printer 100" and line 59-60, "a status response was sent from the printer 100 in response to the status request sent in step S510"); and

a mode changing step of causing the image forming apparatus to temporarily return to the normal standby mode when a change in the status of the image forming apparatus is detected in the reduced power consumption mode (described in column 11, line 36-44, "When the printer 100 is in the second energy conservation mode and the monitor 1033 of the printer 100 that is monitoring the data flowing in the network 400 detects that a magic packet, which is sent in step S509, is in existence in the network 400, it sends a control signal 3 to the power supply unit 101. Based

on the control signal 3, power supply is resumed from the power supply unit 101 to the various components of the printer 100. Consequently, the printer 100 is released from the energy conservation mode."), transmit the changed status of the image forming apparatus to the server apparatus (described in column 11, line 51-52, "the PC 300 once again sends a status information request to the printer 100" and line 59-60, "a status response was sent from the printer 100 in response to the status request sent in step S510"), and then again shift to the reduced power consumption mode (According to Fig. 7, after printer is initialized S101, the timer 1 starts S102, if there is no data received in the end of timer 1 S106, the power supply to drive system will be off S107).

Regarding claim 10, Yamada discloses a method for control network device. Specially, Yamada discloses a control method of controlling a server apparatus (network device) connected via a network to an image forming apparatus having a normal standby mode, and a reduced power consumption mode ,in which less electric power is consumed than in .the normal standby mode, comprising:

an agency request-receiving step of receiving a request command sent from the image forming apparatus, for requesting the server apparatus to receive a status request sent from an information processing apparatus connected to the network, to the image forming apparatus, on behalf of the image forming apparatus;
a status receiving step of receiving and holding a status of the image forming apparatus

from the image forming apparatus; a status request-accepting step of accepting the status request from the image forming apparatus on behalf of the image forming apparatus; a status responding step of responding to the information processing apparatus in response to the status request based on the status received beforehand from the image forming apparatus (described in column 7, line 18 – 26, “When the printer 100 sends a request to the network device 200 for a substitute response in step S112, it sends information that comprises a response to the status request, ID information that identifies the printer 100 on the network 400 and a substitute response setting order.

The network device 200 that receives the request for a substitute response responds with the printer 100 status information on behalf of the printer 100 when the PC 300 requests status information from the printer 100”); and a status updating step of updating the held status when the status is received from the image forming apparatus while the server apparatus is capable of accepting the status request on behalf of the image forming apparatus (described in column 8, line 26-28, “the printer 100 sends the network device 200 a signal to instruct cancellation of the substitute response request (S205). Then the printer will request another substitute response in another run).

Regarding claim 11, Yamada discloses everything as stated above (see claim 10), further comprising a start request command-transmitting step of transmitting to the image forming apparatus a command for requesting the image forming apparatus to return from the reduced power consumption mode to the normal standby mode, when the server apparatus has received a command which cannot be executed without causing the image forming apparatus to return from the reduced power consumption mode to the normal standby mode (described in column 11 line 25-27, "the PC 300 sends a magic packet to the printer 100 in order to release the printer 100 from the energy conservation mode (S509)").

Regarding claim 12, Yamada discloses everything as stated above (see claim 11), further comprising a retransmission requesting step of transmitting to the information processing apparatus a command retransmission request for requesting the information processing apparatus to again transmit the status request, when the server apparatus has received information indicating that the image forming apparatus has returned from the reduced power consumption mode to the normal standby mode (According to Fig. 7, S103, after printer returned from energy conservation mode, it will further receive data and this data, according to Fig. 9, can be a status requesting data, described in column 9, line 10-13).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QIAN YANG whose telephone number is (571)270-7239. The examiner can normally be reached on Monday-Friday 8:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Harold can be reached on 5712727519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/QIAN YANG/
Examiner, Art Unit 4112

/Q. Y./
Examiner, Art Unit 4112
/Jefferey F Harold/

Supervisory Patent Examiner, Art Unit 4112